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May 1, 2015

Via Overnight Mail

Ms. Margaret Herring, Investigator  
U.S. EPA Region 5, Superfund Division  
Enforcement and Compliance Assurance Branch  
77 W. Jackson Blvd, Mail Code SE-5J  
Chicago, IL 60604-3590

Re: Response of The Standard Register Company to CERCLA Section 104(e)  
Requests for Information for the South Dayton Dump Site in Moraine, Ohio

Dear Ms. Herring:

On behalf of Standard Register, enclosed to this letter are the Company's responses to the above-referenced Section 104(e) requests for information.

As you may know, Standard Register is one of numerous defendants in the CERCLA cost-recovery/contribution litigation that is pending in federal court in Dayton, Ohio, captioned as *Hobart Corporation et. al., v. Dayton Power & Light Company et. al.*, Case No. 3:13-cv-115, U.S. District Court, Southern District of Ohio, Western Division (Rice, J.). In the two years that discovery has been underway in the case, Standard Register has not uncovered any documents, nor discovered recollections from any retired or former employee, indicating that Standard Register ever disposed, directly or indirectly, of any waste, hazardous or otherwise, at the site. Nor in the numerous depositions taken in the case during the last two years has a single retired or former driver for any Dayton-area hauler testified that the driver or his company ever hauled wastes for Standard Register to the site.

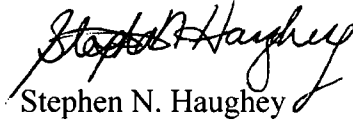
The only witness (Edward Grillot) who testified in 2012 that Standard Register sent cash register parts to the site subsequently recanted his testimony in his 2013 deposition, when he could not remember Standard Register ever sending any waste to the site. In addition, Standard Register never made cash registers, and Mr. Grillot admitted in his 2013 deposition that he could not differentiate between Standard Register and the National Cash Register Company (NCR), a Dayton area company that did in fact manufacture cash registers. For these reasons, Standard Register contests the basis for U.S. EPA's belief that the Company is potentially liable under CERCLA for response costs incurred at this site, and the Company requests that the Agency provide it any information that would allegedly establish a nexus between Standard Register and disposal of wastes at this site.

Notwithstanding Standard Register's position, the Company understands U.S. EPA's right to request information relevant to whether Standard Register disposed of wastes at this site. Therefore, Standard Register provides these responses in good faith, but the Company

nevertheless requests that the Agency delete Standard Register from the list of PRPs unless there is some nexus information provided to it that links the Company to disposal at this site. If you have any questions regarding Standard Register's responses, please contact me. In addition, please express my appreciation to Mr. Nash for the additional time to respond to the information requests.

Very truly yours,

**FROST BROWN TODD LLC**

  
Stephen N. Haughey

Enclosure

cc: Hermina Glaser, Associate General Counsel  
Thad Driscoll, FBT

**RESPONSES OF THE STANDARD REGISTER COMPANY TO U.S. EPA'S CERCLA  
SECTION 104(e) REQUESTS FOR INFORMATION PERTAINING TO THE SOUTH  
DAYTON DUMP SITE IN MORaine, OHIO**

**I.     General Responses, Reservations, and Objections.**

1.     Standard Register objects to the scope of the requests for information (RFI) that have no relevance or nexus to potential waste disposal at the South Dayton Dump Site ("site") as exceeding U.S. EPA's statutory authority under Section 104(e) of CERCLA, 42 U.S.C. § 9604(e).
2.     Standard Register objects to the scope of the RFI to the extent that they seek information that is protected by the attorney-client privilege and/or attorney work-product doctrine.
3.     Standard Register object to the scope of the RFI that have no time limitation or seek information outside of the generally accepted dates during which the site operated for disposal between 1941 and 1996.
4.     Standard Register's responses are based upon the recollection of former or retired employees and the investigation of old business records that still exist dating back to when Standard Register operated a business for manufacturing industrial/commercial printing machines at 626 Albany Avenue, Dayton, Ohio at some period between 1941 and 1996. Standard Register continues to look for old records and retired/former employees that are still living that might have recollections that may pertain to the site, and reserves the right to amend or supplement these responses as its investigation continues.
5.     Each of Standard Register's general objections and reservations is incorporated by reference in the responses to the individual RFI below.

**II.    Responses to RFI.**

1.     Identify all persons consulted in the preparation of the answers to these questions.

Response:     M. Hermina Glaser, Office of General Counsel, The Standard Register Company, and Stephen Haughey, trial counsel for Standard Register, consulted in the review and responses to each of the RFI.

2.     Identify all documents consulted, examined or referred to in the preparation of the answers to these questions, and provide copies of all such documents.

Response:     Standard Register objects to the scope of this RFI because it would require production of documents that might have been reviewed previously that have no connection of any kind or relevance to waste disposal, nor to waste disposal at the site. Without waiver of this objection, Standard Register states that in the context of responding to discovery requests and Civil Rule 26(a) obligations in the ongoing litigation in the case captioned as *Hobart Corporation*

*et. al., v. Dayton Power & Light Company et. al.*, Case No. 3:13-cv-115, U.S. District Court, Southern District of Ohio, Western Division (Rice, J.), Standard Register has already reviewed the business records of Standard Register that still exist, and has not found any documents indicating directly or indirectly any connection between Standard Register and waste disposal at the site.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. Provide their current, or last known, address, telephone numbers, and e-mail address.

Response: Standard Register does not currently know any person who has more detailed or complete information regarding the responses to the RFI.

4. Provide names, addresses, telephone numbers, and e-mail addresses of any individuals, including former and current employees, who may be knowledgeable about Respondent's operations and hazardous substances handling, storage and disposal practices.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site. Without waiver of its objection, Standard Register knows of no current or former employees, nor of any current or former Dayton area haulers, who have knowledge of any waste disposal for Standard Register at the site.

5. State the date(s) on which the Respondent sent, brought or moved drums and/or hazardous substances to the South Dayton Dump and Landfill (SDDL) Site and the names, addresses, telephone numbers, and e-mail addresses of the person(s) making arrangements for the drums and/or hazardous substances to be sent, brought or moved to the SDDL Site.

Response: Because Standard Register has uncovered no documents, no current or former employee recollections, nor any current or former Dayton area hauler recollections indicating disposal at the site, Standard Register has no information that is responsive to this RFI.

6. Did Respondent haul or send materials to SDDL in vehicles it owned, leased or operated? If yes, during what time periods did this occur? If no, how did Respondent transport materials to SDDL? Identify the hauler(s) and provide the addresses, telephone numbers, and e-mail addresses of these entities.

Response: No, to the best of its knowledge and belief, Standard Register never hauled or sent wastes of any kind to the site.

7. List all federal, state and local permits and/or registrations and their respective permit numbers issued to Respondent for the transport and/or disposal of materials.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

8. Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

9. Were all hazardous substances transported by licensed carriers to hazardous waste Treatment Storage and Disposal Facilities permitted by the U.S. EPA?

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

10. List all federal, state and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

11. Does your company or business have a permit or permits issued under Resource Conservation and Recovery Act? Does it have or has it ever had, a permit or permits under the hazardous substance laws of the State of Ohio? Does your company or business have an EPA Identification Number, or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

12. Identify whether Respondent ever filed a Notification of Hazardous Waste Activity with the EPA or the corresponding agency or official of the State of Ohio, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

13. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management. For each individual identified in response to this question provide the current or most recent known address, telephone number and e-mail address.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

14. Describe the containers used to take any type of waste from Respondent's operation, including but not limited to:

- a. the type of container (e.g. 55 gal. drum, dumpster, etc.);
- b. the colors of the containers;
- c. any distinctive stripes or other markings on those containers;
- d. any labels or writing on those containers (including the content of those labels);
- e. whether those containers were new or used; and
- f. if those containers were used, a description of the prior use of the containers.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

15. For any type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling. Provide copies of all documents relating to the transportation or disposal of said waste, including correspondence and manifests. Include all correspondence and records of communication between Respondent and Cyril Grillot, Kenneth Grillot, Alcine Grillot, or Horace Boesch, Sr.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site. Without waiver of this objection, Standard Register states that it has no records of communication between Standard Register and Cyril Grillot, Kenneth Grillot, Alcine Grillot, or Horace Boesch, Sr., nor any current or former employee recollections of such communications.

16. Provide copies of such contracts and other documents reflecting such agreements or arrangements.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

- a. State where Respondent sent each type of its waste for disposal, treatment, or recycling.
- b. Identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request).
- c. If Respondent transported any of its wastes away from its operations, please so indicate and answer all questions related to "Waste Carriers" with reference to

Respondent's actions.

- d. For each type of waste specify which Waste Carrier picked it up.
- e. For each type of waste, state how frequently each Waste Carrier picked up such waste.
- f. For each type of waste state the volume picked up by each Waste Carrier (per week, month, or year).
- g. For each type of waste state the dates (beginning & ending) such waste was picked up by each Waste Carrier.
- h. Provide copies of all documents containing information responsive to the previous seven questions.
- i. Describe the vehicles used by each Waste Carrier to haul away each type of waste including but not limited to:
  - (i). the type of vehicle (e.g., flatbed truck, tanker truck, containerized dumpster truck, etc.);
  - (ii). names or markings on the vehicles; and
  - (iii). the color of such vehicles.
- j. Identify all of each Waste Carrier's employees who collected Respondent's wastes.
- k. Indicate the ultimate disposal/recycling/treatment location for each type of waste.
- l. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste.
- m. Describe how Respondent managed pickups of each waste, including but not limited to:
  - (i). the method for inventorying each type of waste;
  - (ii). the method for requesting each type of waste to be picked up;
  - (iii). the identity of (see Definitions) the waste carrier employee/agent contacted for pickup of each type of waste;
  - (iv). the amount paid or the rate paid for the pickup of each type of waste;
  - (v). the identity of (see Definitions) Respondent's employee who paid the bills; and
  - (vi). the identity of (see Definitions) the individual (name or title) and company to whom Respondent sent the payment for pickup of each type of waste.
- n. Identify the individual or organization (i.e., the Respondent, the Waste Carrier, or, if neither, identify such other person) who selected the location where each of the Respondent's wastes were taken.
- o. State the basis for and provide any documents supporting the answer to the previous question.
- p. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
  - (i). the nature and chemical composition of each type of waste;
  - (ii). the dates on which those wastes were disposed;
  - (iii). the approximate quantity of those wastes disposed by month and year;
  - (iv). the location to which these wastes drained (e.g. on-site septic system, onsite storage tank, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and
  - (v). whether and what pretreatment was provided.
- q. Identify any sewage authority or treatment works to which Respondent's waste

was sent.

r. If not already provided, specify the dates and circumstances when Respondent's waste was taken to the SDDL Site, and identify the companies or individuals who brought Respondent's waste to the Site. Provide all documents which support or memorialize your response.

Response: Standard Register objects to the scope of the subparts of RFI No. 16 as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

17. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

18. Identify (see Definitions) all federal offices to which Respondent has sent or filed information about hazardous substance or hazardous waste.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

19. State the years during which such information was sent/filed.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

20. Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

21. State the years during which such information was sent/filed.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

22. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections II 01 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.; Solid Waste and Infectious Waste Regulations, OAC 3745-27 (former rule EP-20); Licenses for Solid Waste, Infectious Waste Treatment, or Construction and Demolition Debris Facilities, OAC 3745-37 (former rule EP-33); Solid and Hazardous Wastes, ORC 3734-01 through 3734-11; Open



Burning Standards, OAC 3745-19-03.

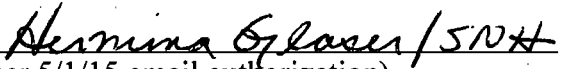
Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

23. Identify the federal and state offices to which such information was sent.

Response: Standard Register objects to the scope of this RFI as overly broad, vague and encompassing information that has no relevance to potential waste disposal at the site.

### III. Certification for RFI Responses.

I hereby certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

  
(per 5/1/15 email authorization)  
Hermina Glaser, Esq.  
Assistant General Counsel  
THE STANDARD REGISTER COMPANY

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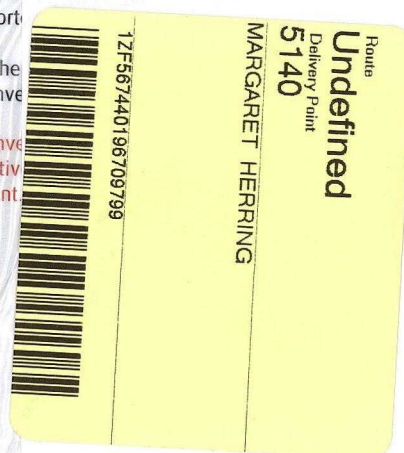
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